

SENATE BILL 582

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2003 Regular Session  
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By: **Senator McFadden (By Request - Baltimore City Administration)**

Introduced and read first time: January 31, 2003

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Appointment of Juvenile Services Area Director and**  
3 **Appointment, Qualifications, Evaluation, and Removal of Local Director of**  
4 **Social Services**

5 FOR the purpose of providing that the Juvenile Services Area Director for Baltimore  
6 City shall be appointed with the advice and consent of the Mayor of Baltimore  
7 City; providing that the local director of social services in Baltimore City shall be  
8 appointed by the Mayor of Baltimore City; authorizing the Mayor of Baltimore  
9 City to remove a certain local director of social services; listing certain  
10 qualifications for a certain local director of social services; providing for the  
11 evaluation of a certain local director of social services; and generally relating to  
12 appointment of the area director of juvenile services in Baltimore City and the  
13 qualifications, appointment, evaluation, and removal of the local director of  
14 social services in Baltimore City.

15 BY adding to  
16 Article 83C - Juvenile Justice  
17 Section 2-137  
18 Annotated Code of Maryland  
19 (1998 Replacement Volume and 2002 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article 88A - Department of Human Resources  
22 Section 13  
23 Annotated Code of Maryland  
24 (1998 Replacement Volume and 2002 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
26 MARYLAND, That the Laws of Maryland read as follows:

1

**Article 83C - Juvenile Justice**

2 2-137.

3 THE DEPARTMENT SHALL APPOINT THE AREA DIRECTOR FOR BALTIMORE CITY  
4 SUBJECT TO THE ADVICE AND CONSENT OF THE MAYOR OF BALTIMORE CITY.

5

**Article 88A - Department of Human Resources**

6 13.

7 (a) Except as provided in § 13A of this article, the State Department shall  
8 create or continue in each county and in Baltimore City a local department of social  
9 services to be known as such with the name of the county or city prefixed thereto. In  
10 each county such local department shall have a local board appointed in accordance  
11 with the provisions of § 14 of this article and a local director appointed in accordance  
12 with subsection (b)(1) of this section.

13 In Baltimore City the department of social services shall have a commission of  
14 social services (herein referred to as "local commission") appointed in accordance with  
15 the provisions of § 48(d) of Article VII of the Charter of Baltimore City, 1964 Edition,  
16 and the local director of the local department in Baltimore City shall be appointed [in  
17 accordance with the provisions of subsection (b)(2) of this section] BY THE MAYOR OF  
18 BALTIMORE CITY.

19 The local boards in the counties and the local commission in Baltimore City  
20 shall have all the duties and functions provided in § 14A of this article.

21 (b) (1) [In] EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, IN  
22 each county [and Baltimore City] the local director shall be appointed with the  
23 concurrence of the Secretary of Human Resources and, as appropriate:

24 (i) The county executive;

25 (ii) The county commissioners;

26 (iii) [The Mayor of Baltimore City;

27 (iv)] The County Council of Talbot County or Wicomico County; or

28 [(v)] (IV) A designee of the county executive, county commissioners,  
29 or Mayor.

30 (2) The county executive, county commissioners, [Mayor of Baltimore  
31 City,] County Council of Talbot County or Wicomico County, or designee, as  
32 appropriate, shall meet and consult with the board of each local department prior to  
33 the appointment of a local director.

34 (3) (i) In each county [and Baltimore City] the local director may be  
35 removed from office with the concurrence of the Secretary of Human Resources and,

1 as appropriate, the county executive, the county commissioners, the Mayor of  
2 Baltimore City, County Council of Talbot County or Wicomico County, or the designee  
3 of the county executive, county commissioners, County Council of Talbot County or  
4 Wicomico County, or Mayor.

5 (ii) The county executive, county commissioners, Mayor of  
6 Baltimore City, County Council of Talbot County or Wicomico County, or designee, as  
7 appropriate, shall meet and consult with the board of each local department prior to  
8 the removal from office of a local director.

9 (III) IN BALTIMORE CITY THE LOCAL DIRECTOR MAY BE REMOVED  
10 FROM OFFICE BY THE MAYOR OF BALTIMORE CITY.

11 (4) (I) [Any] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
12 PARAGRAPH, ANY individual appointed as a director of a local department of social  
13 services in accordance with paragraphs (1) and (2) of this subsection shall have, at a  
14 minimum:

15 [(i)] 1. A master's degree in social work or a related field and at  
16 least 5 years of professional employment in the field of social services administration  
17 or supervision; and

18 [(ii)] 2. Any other qualifications and training that the Secretary of  
19 Human Resources may require by rule or regulation.

20 (II) IN BALTIMORE CITY, ANY INDIVIDUAL APPOINTED AS THE  
21 LOCAL DIRECTOR SHALL HAVE, AT A MINIMUM:

22 1. A MASTER'S DEGREE IN SOCIAL WORK OR A RELATED  
23 FIELD AND AT LEAST 5 YEARS OF PROFESSIONAL EMPLOYMENT IN THE FIELD OF  
24 SOCIAL SERVICES ADMINISTRATION OR SUPERVISION; AND

25 2. ANY OTHER QUALIFICATIONS AND TRAINING THAT THE  
26 MAYOR OF BALTIMORE CITY MAY REQUIRE BY RULE OR REGULATION.

27 (5) (i) [At] EXCEPT FOR THE LOCAL DIRECTOR IN BALTIMORE CITY,  
28 AT least annually, the local director shall be evaluated, in writing, by the Secretary of  
29 Human Resources, the county [or Baltimore City], and the local board of social  
30 services.

31 (ii) The Secretary of Human Resources shall notify the local board  
32 of social services of any significant deficiencies in the administration of the local  
33 department.

34 (iii) The Secretary of Human Resources, the county [or Baltimore  
35 City], and the local board of social services shall jointly review their respective  
36 evaluations annually with the local director.

1 (IV) IN BALTIMORE CITY, THE LOCAL DIRECTOR SHALL BE  
2 EVALUATED ANNUALLY, IN WRITING, BY THE MAYOR OF BALTIMORE CITY IN  
3 CONSULTATION WITH THE LOCAL BOARD OF SOCIAL SERVICES.

4 (6) (i) The governing body of each county and Baltimore City, in  
5 consultation with the local board of social services, shall establish by ordinance or  
6 resolution, the process by which the local director shall be evaluated in accordance  
7 with paragraph (5) of this subsection.

8 (ii) The Secretary shall establish by regulation the process by  
9 which the Secretary shall evaluate the local directors in accordance with paragraph  
10 (5) of this subsection.

11 (b-1) (1) The local director in each county, including Baltimore City, who is  
12 appointed on or after October 1, 1992, shall be in the executive service or  
13 management service of the State Personnel Management System.

14 (2) All deputy directors and assistant directors of the Department of  
15 Social Services of Baltimore City who are appointed after May 1, 1989, shall be in the  
16 management service of the State Personnel Management System.

17 (c) Except in Montgomery County, the local director in each county, including  
18 Baltimore City, shall administer the social service and public assistance activities in  
19 the respective county, except child support enforcement, in accordance with § 3 of this  
20 article. Each local director has a general administrative responsibility to the State  
21 Administration. Specifically, by way of example and not in limitation, each local  
22 director has the following basic responsibilities:

23 (1) Long-range and short-range planning for the functions and  
24 objectives of the respective local department;

25 (2) Exercise of full administrative responsibility for the operations of the  
26 respective local department;

27 (3) Except as provided in subsection (b-1)(2) of this section or otherwise  
28 by law, appointment of all personnel of the respective local department in accordance  
29 with the provisions of Title 6, Subtitle 4 of the State Personnel and Pensions Article;

30 (4) Improvement of administrative and social-work practices and  
31 procedures;

32 (5) Submission of periodic reports and evaluations as required by the  
33 State Administration;

34 (6) Submission of an annual report to the local board of the respective  
35 local department in the counties and to the local commission of the local department  
36 in Baltimore City; and

37 (7) Other responsibilities as may from time to time be required by the  
38 State Administration or by other applicable laws, rules and regulations.

1 (c-1) In Montgomery County, the local director shall act as the agent of the  
2 Secretary of Human Resources to ensure that Montgomery County complies with  
3 responsibilities under grant agreements entered into under § 13A(b) of this article.

4 (d) Administrative costs of the local departments for the purpose of this  
5 section shall be paid out of allotments from State or federal funds, as the State  
6 Department may prescribe. This subsection does not prohibit any county from  
7 appropriating additional funds for administrative costs of the local department.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2003.